

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.6486 OF 2005

Miss Alaka d/o.Hari Sarate.....Petitioner

Versus

President, Co-ordination School
Committee, Vidyamandir,.....Respondents

Mr. D.W., Bhosale, for the Petitioner
Mr. V.S. Gokhale, AGP for Respondent NOs. 4 to 7.

**CORAM: F.I. REBELLO &
DR.D.Y. CHANDRACHUD, JJ.**
DATE : 4TH OCTOBER, 2005

P.C.:

. In view of the order to be passed notice on respondent Nos. 1, 2, 3 and 8 dispensed with. Learned A.G.P. waives notice for respondent Nos. 4 to 7. It is the contention of the petitioner that his services were illegally terminated and in his place the respondent No.8 has been appointed on the basis that the post on which the petitioner was appointed is a reserved post. It is the case of the petitioner that if 34% reservation is considered as held by this Court in various judgments then the post cannot be said to be a reserved post. That is an issue which can be gone into by the Tribunal in the Appeal which is pending. In the light of that the only direction which can be given to the Tribunal is to dispose of the Appeal within four months from today by considering all controversies including whether the post from which the

petitioner was terminated was temporary and the post to which respondent No.8 has been appointed was a reserved post. With the above observations, petition stands disposed of. No order as to costs.

(F.I.REBELLO, J.)

(DR. D.Y. CHANDRACHUD, J.)